

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5492

IN THE MATTER OF:

Served January 7, 1999

Application to Transfer )  
Certificate No. 352 from BYRON )  
LAMONT MCDADE, Trading as FAMILY )  
TRANSPORTATION, to FAMILY )  
TRANSPORTATION, INC. )

Case No. AP-98-44

By application accepted for filing September 29, 1998, Byron Lamont McDade, trading as Family Transportation, (McDade), WMATC Carrier No. 352, and Family Transportation, Inc., (FTI), a District of Columbia corporation, (collectively applicants), seek Commission approval to transfer Certificate of Authority No. 352 from McDade to FTI. McDade is an officer and sole shareholder of FTI. The application is unopposed.

Article XI, Section 11(a), of the Compact governs the transfer of assets, including a certificate of authority, by an unincorporated WMATC carrier in exchange for a controlling interest in a newly formed corporation.<sup>1</sup> A transfer of this nature raises fitness issues only.

FTI proposes to commence operations with two vans. FTI's proposed tariff contains rates for transportation under the DC Medicaid program.

FTI filed a balance sheet as of September 29, 1998, showing assets of \$29,000; liabilities of \$10,700; and equity of \$18,300. FTI's projected operating statement for the first twelve months of WMATC operations shows WMATC revenue of \$120,000; expenses of \$65,970; and net income of \$54,030.

FTI certifies it has access to, is familiar with, and will comply with the Compact and the Commission's rules and regulations thereunder.

Based on the evidence in this record, the Commission finds FTI to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of assets, including Certificate No. 352, to FTI is consistent with the public interest.

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<sup>1</sup> In re Ira A. Austin, Sr., t/a Ira's Transp. Serv., & Ira's Transp. Serv., Inc., No. AP-97-42, Order No. 5193 (Sept. 9, 1997).

<sup>2</sup> Id.

THEREFORE, IT IS ORDERED;

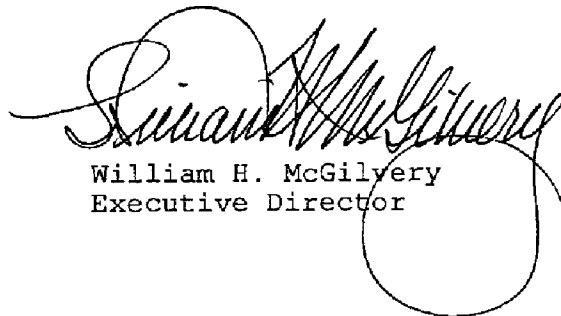
1. That upon FTI's timely compliance with the requirements of this order, Certificate of Authority No. 352 shall be reissued to Family Transportation, Inc., 535 Shepherd Street, N.W., Washington, DC 20011.

2. That FTI may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 352 has been reissued in accordance with the preceding paragraph.

3. That FTI is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

4. That the approval of transfer herein shall be void and the application shall stand denied upon FTI's failure to timely satisfy the conditions of reissuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery  
Executive Director